

Message Text

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ACTION EB-07

INFO OCT-01 AF-08 EUR-12 ISO-00 CCO-00 CIAE-00 OTPE-00

FCC-01 INR-07 NSAE-00 OC-06 USIA-06 COME-00 BIB-01

L-03 IO-13 /065 W

----- 014587

R 081535Z NOV 76

FM AMEMBASSY BONN

TO SECSTATE WASHDC 3111

INFO AMEMBASSY PARIS

AMEMBASSY NAIROBI

C O N F I D E N T I A L BONN 18854

E.O. 11652: GDS

TAGS: ETEL, FR, GW, KE

SUBJECT: SYMPHONIE USE OFFER TO UNESCO GENERAL
CONFERENCE

REF: A. STATE 214577 B. BONN 14847

1. EMBOFF SUMMONED NOVEMBER 5 BY SCHOLTYSEK OF FOREIGN OFFICE TO RECEIVE REPLY TO APPROACH REPORTED REF B. READING FROM DOCUMENT HE SAID WAS PREPARED BY THE MINISTRY OF RESEARCH AND TECHNOLOGY, SCHOLTYSEK SAID THAT ALL TESTS AND DEMONSTRATIONS CONDUCTED BY THE FRG TO DATE WERE IN FULL ACCORD WITH ARTICLE 16, PARAGRAPHS ONE AND TWO OF THE LAUNCH AGREEMENT. THAT IS, THEY WERE OF LIMITED DURATION, WERE WITHOUT GUARANTEE OF CONTINUITY AND WERE NON-COMMERCIAL IN CHARACTER.

2. CONSULTATIONS ARE PROVIDED FOR IN THE LAUNCH AGREEMENT AND THE FRG RECOGNIZED THAT CASES MIGHT ARISE FOR WHICH CONSULTATIONS WILL BE NECESSARY. HOWEVER, IN THE FRG VIEW, THE TESTS AND DEMONSTRATIONS OF THE SYMPHONIE PROGRAM HAVE BEEN IN FULL ACCORD WITH THE CONTRACTUAL OBLIGATIONS WITH NASA.

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3. IN SUBSEQUENT DISCUSSION, SCHOLTYSEK SAID HE WAS

NOT SURE WHAT WAS MEANT BY "MARGINAL" AS USED IN REF A. HE POINTED OUT THAT THE TERM IS NOT USED IN THE LAUNCH AGREEMENT OR LAUNCH CONTRACT. HE SAID, HOWEVER, THAT HE COULD ASSURE US THAT THE FRG AGREES TO CONSULTATION IN ADVANCE "WHERE REASONABLE QUESTION COULD ARISE AS TO EXPERIMENTAL VERSUS OPERATIONAL CHARACTER OF A PROPOSED USE" PER WORDING PARA 9, REF A. HE ADDED, THAT IN HIS OPINION THE USE OF SYMPHONIE FOR THE NAIROBI CONFERENCE OF UNESCO CLEARLY MET THE CRITERIA OF BEING WITHOUT GUARANTEE OF CONTINUITY, OF LIMITED DURATION AND NON-COMMERCIAL.

4. SCHOLTYSEK SAID THE FRENCH HAD TOLD THE FRG THAT THEY HAD HAD NO APPROACH FROM THE USG ON THIS MATTER.
STOESSEL

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